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HOUSE BILL 352

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Al Park

AN ACT

RELATING TO METROPOLITAN COURTS; PROVIDING THAT CERTAIN AMOUNTS RECEIVED BY THE COURTS FROM CERTAIN FINES SHALL BE TRANSFERRED TO THE MUNICIPALITY TO REIMBURSE THE MUNICIPALITY FOR COSTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 34-8A-3 NMSA 1978 (being Laws 1979, Chapter 346, Section 3, as amended) is amended to read:

"34-8A-3. METROPOLITAN COURT-- JURISDICTION. --

A. In addition to the jurisdiction provided by law for magistrate courts, a metropolitan court shall have jurisdiction within the county boundaries over all:

(1) offenses and complaints pursuant to ordinances of the county and of a municipality located within the county in which the court is located except municipalities with a population of more than two thousand five hundred but

underscored material = new
[bracketed material] = delete

underscored material = new
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1 less than five thousand persons in the 1980 federal decennial
2 census; provided that the metropolitan court shall not have
3 jurisdiction over uncontested municipal parking violations;

4 (2) civil actions in which the debt or sum
5 claimed does not exceed ten thousand dollars (\$10,000),
6 exclusive of interest and costs; and

7 (3) contested violations of parking or
8 operation of vehicle rules promulgated by a board of regents of
9 a state educational institution designated in Article 12,
10 Section 11 of the constitution of New Mexico located within the
11 county in which the court is located.

12 B. For the purposes of this section, "uncontested
13 violation" is a violation for which a citation has been issued
14 and the person has paid the citation by mail or in person to
15 the appropriate issuing authority; and "contested violation" is
16 a violation for which a citation has been issued and the person
17 has indicated his intent to contest the citation or the person
18 has not paid or answered the citation.

19 C. The issuing authority shall provide to the
20 metropolitan court on a mutually agreed schedule the unpaid
21 citations and a listing in a manner mutually agreed upon of
22 unpaid citations.

23 D. The municipality shall retain as reimbursement
24 for its expenses all revenues from uncontested municipal
25 parking violations.

